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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/773,726	02/06/2004	Donna N. Dillenberger	YOR919990295US2 (12764A)	8601
23389 7590 02/07/2008 SCULLY SCOTT MURPHY & PRESSER, PC 400 GARDEN CITY PLAZA			EXAMINER	
			ZHE, MENG YAO	
SUITE 300 GARDEN CITY	V NV 11530		ART UNIT	PAPER NUMBER
G/HCDEN C/11	1,141 11330		2195	
•			MAIL DATE	DELIVERY MODE
			02/07/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

		mN	
	Application No.	Applicant(s)	
	10/773,726	DILLENBERGER ET AL.	
Office Action Summary	Examiner	Art Unit	
	MengYao Zhe	2195	
The MAILING DATE of this communication Period for Reply	n appears on the cover sheet w	ith the correspondence address	
A SHORTENED STATUTORY PERIOD FOR RI WHICHEVER IS LONGER, FROM THE MAILIN - Extensions of time may be available under the provisions of 37 CF after SIX (6) MONTHS from the mailing date of this communicatio - If NO period for reply is specified above, the maximum statutory p - Failure to reply within the set or extended period for reply will, by s Any reply received by the Office later than three months after the earned patent term adjustment. See 37 CFR 1,704(b)	G DATE OF THIS COMMUNIFER 1.136(a). In no event, however, may a in. eriod will apply and will expire SIX (6) MON statute, cause the application to become Al	CATION. reply be timely filed NTHS from the mailing date of this communication. BANDONED (35 U.S.C. § 133).	
Status			
1)⊠ Responsive to communication(s) filed on g	06 February 2004.	•	
· · ·	This action is non-final.		
3) Since this application is in condition for all	owance except for formal mat	ters, prosecution as to the merits is	
closed in accordance with the practice und	der <i>Ex parte Quayle</i> , 1935 C.D). 11, 453 O.G. 213.	
Disposition of Claims			
·			
4) Claim(s) 29-35 is/are pending in the applic		•	
4a) Of the above claim(s) is/are with 5) Claim(s) is/are allowed.	idiawii iroiti consideration.		
6)⊠ Claim(s) <u>29-35</u> is/are rejected.			
7) Claim(s) is/are objected to.	•		
8) Claim(s) are subject to restriction a	nd/or election requirement		
Application Papers			
 9) The specification is objected to by the Exa 10) The drawing(s) filed on <u>06 February 2004</u> in Applicant may not request that any objection to Replacement drawing sheet(s) including the control of the control o	is/are: a) \boxtimes accepted or b) \square or the drawing(s) be held in abeya correction is required if the drawing	nce. See 37 CFR 1.85(a). g(s) is objected to. See 37 CFR 1.121(d).	
Priority under 35 U.S.C. § 119	•		
 12) Acknowledgment is made of a claim for for a) All b) Some * c) None of: 1 Certified copies of the priority docur 		§ 119(a)-(d) or (f).	
2. Certified copies of the priority docur	ments have been received in A	Application No	
3. Copies of the certified copies of the	priority documents have been	received in this National Stage	
application from the International Bo	ureau (PCT Rule 17.2(a)).		
* See the attached detailed Office action for a	a list of the certified copies not	received.	
Attachment(s)			
 Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-94) 	· —	Summary (PTO-413) (s)/Mail Date	

U.S. Patent and Trademark Office PTOL-326 (Rev. 08-06)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 2/6/2004.

5) Notice of Informal Patent Application

6) Other:

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DETAILED ACTION

1. Claims 29-35 are presented for examination.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

- 3. Claims 29-35 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
 - A. The following claim languages are unclear and indefinite:
 - i) Claim 29, it is uncertain what the relationship is between "workstations" of line 1 and "router queues" of line 6 <i.e. are the queues found in the workstations that are suppose to perform the tasks?>.
 - ii) Claim 31, it is uncertain what the relationship is between "workstations" of line 1 and "initiators" of line 3 <i.e. What are the initiators? Are they part of the workstations?>

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Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.
- 5. Claims 29-31, 33-34 are rejected under 35 U.S.C. 102(e) as being anticipated by Broder et al., Patent No. 5,991,808 (hereafter Broder).

As per claim 29, Broder teaches a method of distributing work through a cluster of workstations for efficient distributed processing, said cluster having a plurality of workstations interconnected over a network (Column 4, lines 6-14), the method comprising:

receiving a work request (Column 4, lines 21-28);

classifying the work request into one or more tasks (Column 4, lines 22-26: taking in different types of requests and processing the tasks related to it);

assigning said one or more tasks to one or more router queues capable of handling said one or more tasks (Column 4, lines 27-27; Column 5, lines 5-8);

dispatching said assigned one or more tasks for execution (Column 4, lines 22-28, lines 33-35);

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determining performance statistics associated with said one or more router queues (Abstract; Column 5, lines 40-63).

As per claim 30, Broder teaches computing a time lapse between the step of assigning and the step of dispatching (Column 6, lines 65-67).

As per claims 31, 34, Broder teaches determining one or more initiators best suited to execute said one or more tasks and dispatching said one or more tasks to said best suited one or more initiators for execution (Column 5, lines 60-63).

As per claim 33, receiving from said one or more initiators system specific statistics data associated with said one or more initiators for determining said one or more initiators best suited to execute said one or more tasks (Column 5, lines 60-63).

Claim Rejections - 35 USC § 103

- 6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 7. Claims 32, 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over

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Broder et al., Patent No. 5,991,808 (hereafter Broder).

As per claim 32, Broder does not specifically teach adding additional initiators to execute said one or more tasks based on the performance statistics of said one or more router queues. However, it would have been obvious to one having ordinary skill in the art at the time of the applicant's invention to add more work forces when it is determined that more work force is needed, therefore, adding an additional initiator would have been an obvious step to perform when it is determined from the performance statistic that the current number of initiators are unable to perform all current tasks in needed time.

As per claim 35, Broder does not specifically teach distributing objects with same class name having different implementations over a cluster of workstations which objects said one or more initiators invoke to execute said one or more tasks. However, it would have been obvious to one having ordinary skill in the art at the time of the applicant's invention to apportion the incoming tasks such that the workstations that specialize in executing certain types of tasks get those tasks that are best suited for them, this way, efficiency and speed of processing may be increased.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MengYao Zhe whose telephone number is 571-272-6946. The examiner can normally be reached on Monday Through Friday, 7:30 - 5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on 571-272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

LEWIS A. BULLOCK, JA.
PRIMARY EXAMINER